

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,
v.
Case No. 03-80244
Honorable Victoria A. Roberts
JULIO CESAR LAMADRID,
Defendant.

ORDER ADOPTING REPORT AND RECOMMENDATION [ECF No. 927],
ACCEPTING DEFENDANT'S PLEA OF GUILTY, AND
TAKING THE RULE 11 PLEA AGREEMENT UNDER ADVISEMENT

With Defendant Julio Cesar Lamadrid's consent, Magistrate Judge David R. Grand conducted a plea hearing on July 16, 2019. Then Lamadrid pled guilty to Count One of the sixth superseding indictment – Conspiracy to Distribute More than 1000 Kilograms of Marijuana, 21 U.S.C. §§ 841(a)(1) and 846.

Judge Grand issued a Report, Findings, and Recommendation Concerning Defendant's Guilty Plea ("R & R"). He found that: (1) Lamadrid is competent to enter a plea; (2) Lamadrid's plea is entered knowingly, intelligently, and voluntarily, without coercion; and (3) the offense to which Lamadrid pled guilty is supported by an independent basis in fact containing each of the essential elements of the offense. Magistrate Judge Grand recommended that, subject to consideration of Lamadrid's Rule 11 Plea Agreement, "Lamadrid's guilty plea be accepted, Lamadrid be adjudged guilty of the offense charged, and . . . the Court impose the sentence it determines is appropriate."

A party may serve and file written objections “[w]ithin fourteen days after being served with a copy” of the R & R. 28 U.S.C. § 636(b)(1). The Court will make a “de novo determination of those portions of the report . . . to which objection is made.” *Id.*

Neither party objects to the R & R. Therefore, the Court is not obligated to independently review the record. *Thomas v Arn*, 474 U.S. 140, 149-52 (1985). Nevertheless, the Court finds the R & R’s findings and Judge Grand’s recommendation to be reasonable.

Accordingly, the Court **ADOPTS** the R & R [ECF No. 927], **ACCEPTS** Lamadrid’s guilty plea, and **TAKES UNDER ADVISEMENT** the Rule 11 Plea Agreement [ECF No. 926].

IT IS ORDERED.

s/ Victoria A. Roberts
Victoria A. Roberts
United States District Judge

Dated: August 15, 2019